

U.S.A. vs

Sergio Carbajal-Garcia

No.

08CR0907-LAB

The Court finds excludable delay, under the section indicated by check (✓),

commenced on

4-15-08

and ended on

7-7-08

(X7, X71)

and ended on

3161(h)

___(1) (A)

Exam or hrg for mental or physical incapacity

___(1) (B)

NARA examination (28:2902)

___(1) (D)

State or Federal trials or other charges pending

___(1) (E)

Interlocutory appeals

___(1) (F)

Pretrial motions (from fig to hrg or other prompt dispo)

___(1) (G)

Transfers from other district (per FRCrP 20, 21 & 40)

___(1) (J)

Proceedings under advisement not to exceed thirty days

Misc proc: Parole or prob rev, deportation, extradition

___(1) (H)

Transportation from another district or to/from examination or hospitalization in ten days or less

X (1) (I)

Consideration by Court of proposed plea agreement

___(2)

Prosecution deferred by mutual agreement

___(3) (A) (B)

Unavailability of defendant or essential witness

___(4)

Period of mental or physical incompetence of defendant to stand trial

___(5)

Period of NARA commitment or treatment

___(6)

Superseding indictment and/or new charges

___(7)

Defendant awaiting trial of co-defendant when no severance has been granted

___(8) (A) (B)

Continuances granted per (h) (8) - use "T" alone if more than one of the reasons below are given in support of continuance

___(8) (B) (i)

1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice)

X 2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)

___(8) (B) (ii)

2) Case unusual or complex

___(8) (B) (iii)

3) Indictment following arrest cannot be filed in thirty (30) days

___(8) (B) (iv)

4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel)

___3161(I)

Time up to withdrawal of guilty plea

___3161(b)

Grand jury indictment time extended thirty (30) more days

Date

4-15-08

CAB
Judge's Initials

A
B
C
D
E
F
G
H
6
7
I
M
N
O
P
R
T
T1
T2
T3
T4
U
W